

# RCRA FIRST TOOL 8: Post-Remedial Care Considerations

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## Introduction

The purpose of this document is to provide project managers with a summary of RCRA Post-Remedial Care policy, tools, and examples that can bear on establishing Corrective Action Objectives (CAOs) during the Remedy Selection Process Meeting.

### What is RCRA Post-Remedial Care?

RCRA Post-Remedial Care is the name given for activities undertaken at sites following remedy construction. Region 3 and Region 7 concluded from the individual input provided at the Lean event in May 2014 that land use restriction and post-remedy-construction maintenance should be part of the discussion when developing CAOs. RCRA Post-Remedial Care is almost always required when the anticipated land use used to develop CAOs is not residential or unrestricted use.

Activities may include operation and maintenance of engineering controls, financial assurance, reporting requirements, and enforceable land use limitations.

### Why is this important?

As of August 2014, more than 40 percent of the sites on the RCRA CA 2020 List were declared “construction complete.” Many of these sites have, or will have, remedies that require combinations of engineering and institutional controls to prevent human and environmental exposures. In Region 3, (as of August 2014) 33 percent of the 322 final remedies require post-remedial care. Many of these sites have groundwater contamination that requires ongoing remediation over many years to achieve the CAOs. RCRA Post-Remedial Care activities will help ensure that the selected remedy will perform as intended to meet the CAOs and protect human health and the environment.

## Background

The Remedy Selection Criteria are the framework for all remedies selected in the RCRA program. The Statement of Basis is the document that demonstrates how the selected remedy meets the threshold criteria (protect human health and the environment, achieve media cleanup objectives, and remediate the source(s) of release(s)). CAOs are proposed in the Statement of Basis with an explanation of how these CAOs will achieve the threshold criteria. In addition, EPA has established seven balancing criteria that the Agency expects project managers to address either: (1) to select among remedy options, or (2) to demonstrate the soundness of a selected remedy.

This FIRST tool is designed to help project managers discuss with facilities how Post-Remedial Care contributes to achieving the CAOs—most notably the threshold criteria, the long-term effectiveness, and the community acceptance balancing criteria.

## Discussion Points for the RSP Meeting

If the chosen CAOs reflect unrestricted use for all pathways identified in the approved Site Conceptual Model, then you can put this document away.

In most circumstances, RCRA post-remedial care will be a necessary discussion at the RSP Meeting regardless of which of the three remedy selection paths are chosen. Remember that post-remedy institutional controls may be necessary, even if the CAOs reflect unrestricted use at some future date.

Some Statements of Basis contain specific requirements for RCRA Post-Remedial Care, while some describe the general features of the RCRA Post-Remedial Care with implementation contingent on an approved plan to be submitted after the final remedy selection occurs. Examples of both approaches are provided. Plans can be required for things such as: institutional control implementation, groundwater pump and treat operations, remedy inspection and maintenance, financial assurance, post-remedy soil management and other, site-specific needs.

This section of the tool can be used to aid RSP meeting discussions. See *RSP Agenda Template (Tool 9), Section VIII, a-c.*

## Stakeholder Awareness and Long-Term Stewardship

Long-term stewardship is a term frequently used to describe the range of activities necessary to maintain remedy effectiveness. Stakeholder awareness describes Agency/state and facility actions to inform and update communities and local officials of remedy features that must remain in place for a long time and may impact redevelopment or sale of the subject property or nearby properties. References for ways to address long-term stewardship and stakeholder communication are included in the section below.

## References

- *Guidance for Evaluating the Technical Impracticability of Ground Water Restoration*, September 1993.
- *Use of Monitored Natural Attenuation at Superfund, RCRA Corrective Action and Underground Storage Tank Sites*, April 21, 1999.
- *Handbook for Groundwater Protection and Cleanup Policies for RCRA Corrective Action*, September 2001.
- *A Guide to Planning, Implementing, Maintaining, and Enforcing Institutional Controls at Contaminated Sites*, December 2012.
- *A Guide to Preparing Institutional Control Implementation and Assurance Plans at Contaminated Sites*, December 2012.
- *Superfund Post Construction Completion: An Overview*, June 2001.
- *Memorandum: Final National strategy to Manage Post Construction Completion Activities at Superfund Sites*, October 2005.
- *Final Implementation of the National strategy to Manage Post Construction Completion Activities at Superfund Sites*, February 2012.
- *Region 3 RCRA Corrective Action Long-Term Stewardship Approach*, June 2015.